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July 15, 2024

**Via Electronic Case Filing**

Hon. Lorna G. Schofield  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *Cypress Holdings, III, L.P. v. Sport-BLX et al.*  
Case No. 1:22-cv-1243 (LGS)

Dear Judge Schofield:

We represent Defendant Joseph De Perio in the above matter. We are writing in response to the Court's request for the following information: (1) whether Mr. De Perio is indemnified against a finding of liability and damages, and if so, by whom and under what circumstances; and (2) whether Mr. De Perio is covered by Directors and Officers Liability Insurance, and, if so, who are the co-insureds who draw from the same fund, and under what circumstances they are covered as relevant here. *See* ECF No. 174.

Mr. De Perio is a former officer and director of Defendant Sport-BLX, Inc. ("Sport-BLX") and a former director of Defendant Glassbridge Enterprises, Inc. ("Glassbridge"). As a former officer/director of Sport-BLX, it is Mr. De Perio's understanding that he is entitled to indemnification from Sport-BLX for the reasons set forth in Sport-BLX's submission. *See* ECF No. 175. Mr. De Perio is unaware of any other applicable indemnification. To date, Mr. De Perio has not been notified that he is covered through any Directors and Officers Liability Insurance policy. To the extent otherwise relevant and applicable, Mr. De Perio joins in the submissions by Sport-BLX and Glassbridge.

Respectfully submitted,

/s/ David S. Gold

David S. Gold

 COLE SCHOTZ P.C.

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cc: All Counsel of Record (via ECF)